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BEFORE THE ARIZONA CORPORATION COMMISSION MAY 22 2003

MARC SPITZER
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER
JEFF HATCH-MILLER
COMMISSIONER
MIKE GLEASON
COMMISSIONER

Arizona Corporation Commission

DOCKETED

MAY 22 2003

DOCKETED BY

CM

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE GENERIC
INVESTIGATION INTO U S WEST
COMMUNICATIONS, INC.'S, NKA QWEST
CORPORATION, COMPLIANCE WITH CERTAIN
WHOLESALE PRICING REQUIREMENTS FOR
UNBUNDLED NETWORK ELEMENTS AND
RESALE DISCOUNTS.

DOCKET NO. T-00000A-00-0194

ARIZONA CORPORATION COMMISSION,

COMPLAINANT,

VS.

QWEST CORPORATION,

RESPONDENT.

DOCKET NO. T-01051B-02-0871

MOUNTAIN TELECOMMUNICATIONS, INC.

COMPLAINANT,

VS.

QWEST CORPORATION,

RESPONDENT.

DOCKET NO. T-01051B-03-0092

**MOTION AND CONSENT OF
LOCAL COUNSEL FOR *PRO*
HAC VICE ADMISSION OF
HARRY L. PLISKIN**

The undersigned counsel, pursuant to Rule 33(c) and (d), Rules of the Supreme
Court, hereby applies to admit Harry L. Pliskin as counsel *pro hac vice* in this docket.

1 Pursuant to Rule 33(d)(3)(c) Rules of the Supreme Court, the following exhibits
2 are attached hereto:

- 3 1. The original verified Application;
- 4 2. The original Certificate of Good Standing; and
- 5 3. The State Bar of Arizona Notice of Receipt.

6 The filing fee required by Rule 33(d) has been submitted to the State Bar of
7 Arizona. Todd C. Wiley hereby agrees to serve as designed local counsel for the subject
8 docket. A proposed Order admitting Harry L. Pliskin accompanies this motion.

9 DATED this 22nd day of May, 2003.

10 GALLAGHER & KENNEDY, P.A.

11 By 

12 Todd C. Wiley
13 2575 East Camelback Road
14 Phoenix, AZ 85016-9225
15 Attorneys for Electric Lightwave, Inc.,
16 Covad Communications, Inc. and New
17 Edge Networks

18 ORIGINAL and seventeen copies filed this
19 22nd day of May, 2003 with Docket Control.

20 COPY of the foregoing hand-delivered
21 this 22nd day of May, 2003, to:

22 Dwight Nodes
23 Administrative Law Judge
24 Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

1 COPY of the foregoing mailed this
2 ~~22nd~~ day of May, 2003, to:

3 Timothy Berg
4 Fennemore Craig
5 3003 N. Central Avenue, Suite 2600
6 Phoenix, AZ 85012

7 Thomas Dethlefs
8 QWEST
9 1801 California Street, Suite 5100
10 Denver, Colorado 80202

11 Richard S. Wolters
12 Michel Singer Nelson
13 AT&T
14 1875 Lawrence Street, Room 1575
15 Denver, Colorado 80202-1847

16 Charles White
17 TNS Telecoms
18 101 Greenwood Avenue, Suite 502
19 Jenkintown, PA 19046

20 Michael W. Patten
21 Roshka, Heyman & DeWulf
22 One Arizona Center
23 400 E. Van Buren Street
24 Suite 800
Phoenix, Arizona 85004
Attorneys for Cox Arizona Telcom, Inc.
e-spire Communications, and McLeod USA
Telecommunications Services, Inc.

Thomas H. Campbell
Lewis & Roca
40 N. Central Avenue
Phoenix, AZ 85007
Attorneys for WorldCom and
Time Warner Communications

1 Thomas F. Dixon, Jr.
2 MCI WorldCom
3 707 17th Street
4 Denver, Colorado 80202

5 Darren S. Weingard
6 Stephen H. Kuta
7 Spring Communicatins Co.
8 1850 Gateway Drive, 7th Floor
9 San Mateo, California 94404-2467
10 Scott S. Wakefield
11 RUCO
12 1110 W. Washington St., Suite 200
13 Phoenix, Arizona 85007

14 Raymond S. Heyman
15 Randall H. Warner
16 Roshka, Heyman & DeWulf
17 400 E. Van Buren Street, Suite 800
18 Phoenix, AZ 85004

19 Jeffrey W. Crockett
20 Jeffrey B. Guldner
21 Snell & Wilmer
22 One Arizona Center
23 Phoenix, AZ 85004-2202

24 Greg Kopta
David Wright Tremain LLP
2600 Century Square
1501 Fourth Avenue
Seattle, Washington 98101-1688
Attorneys for AT&T Communicatinos
of the Mountain States, Inc.

Marti Allbright
Mpower Communications
5711 S. Benton Circle
Littleton, Colorado 80123

1 Joyce B. Hundley
2 United States Dept of Justice
3 Antitrust Division
4 City Center Building
1401 H Street, NW, Suite 8000
Washington, D C 20530

5 Lyndon J. Godfrey
6 AT&T
111 W. Monroe, Suite 1201
Phoenix, AZ 85003

7 Robert S. Kant
8 E. Jeffrey Walsh
9 Greenberg Traurig, LLO
2375 E. Camelback Rd., Suite 700
Phoenix, AZ 85016
10 Attorneys for Mountain
11 Telecommunications, Inc.

12 Mitchell F. Brecher
13 Debra McGuire Mercer
Greenberg Traurig, LLP
800 Connecticut Ave., NW
14 Washington, D.C. 20006

15 Christopher Kempley, Chief Counsel
16 Legal Division
Arizona Corporation Commission
1200 W. Washington Street
17 Phoenix, AZ 85007

18 Ernest G. Johnson, Director
19 Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
20 Phoenix, AZ 85007

21 By: Beth Oakley
22 12263-0003/1103690v1
23
24

TO PRINT



For Official Use Only

App# 1000362

Pro Hac ID # P147179

**NONRESIDENT ATTORNEY
PRO HAC VICE APPLICATION**

Name: Harry L. Pliskin

Residence Address: 754 York Street, Denver, CO 80209

Office Address: 7901 Lowry Blvd., Denver, CO 80230

Telephone: 720-208-1000 Fax: 720-208-3350

Title of cause or case where applicant seeks to appear: In the Matter of Investigation Into Qwest Corporations

Docket Number: T-00000A-00-0194 Phase II-A

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Covad Communications Company

Courts to Which Applicant Has Been Admitted:	Date of Admission:	Bar Number:
<u>District Court, State of Colorado</u>	<u>10/14/94</u>	<u>024739</u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant ☐ is / ☒ is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

Jurisdiction(s) Where Discipline Matter Pending:	Nature of Matter Under Investigation:	Name / Address of Disciplinary Authority:
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

Applicant ☐ has / ☒ has not (select one) been disciplined by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 33, Arizona Rules of Supreme Court in the following:

Title of Matter:	Docket #:	Court or Agency:	Application Granted? (Y/N)
<u>Application of DIECA Communications db.</u>	<u>T-03632A-01</u>	<u></u>	<u>N/A</u>
<u></u>	<u></u>	<u></u>	<u>N/A</u>
<u></u>	<u></u>	<u></u>	<u>N/A</u>
<u></u>	<u></u>	<u></u>	<u>N/A</u>

Name of local counsel: Todd C. Wiley, Esq. of Gallagher & Kennedy

State Bar of Arizona Number: 015358

Address: 2575 East Camelback Road, Phoenix, AZ 85016-9225

Telephone: 602-530-8000 Fax: 602-530-8500

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>See attached Service</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$348.50.

This case or cause ☐ is / ☒ is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies the following:

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

STATE OF Colorado)
County of City and County of Denver) ss.

I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

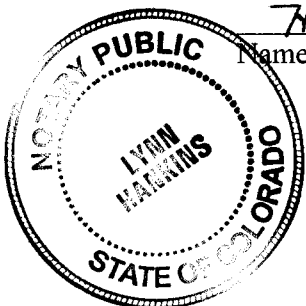
Dated: 4/21/03

Applicant's signature *Harry L. Plushkin*

SUBSCRIBED AND SWORN TO before me this 21st day of April, 2003, by
Harry L. Plushkin
Name of Applicant

Simon Hankins
Notary Public

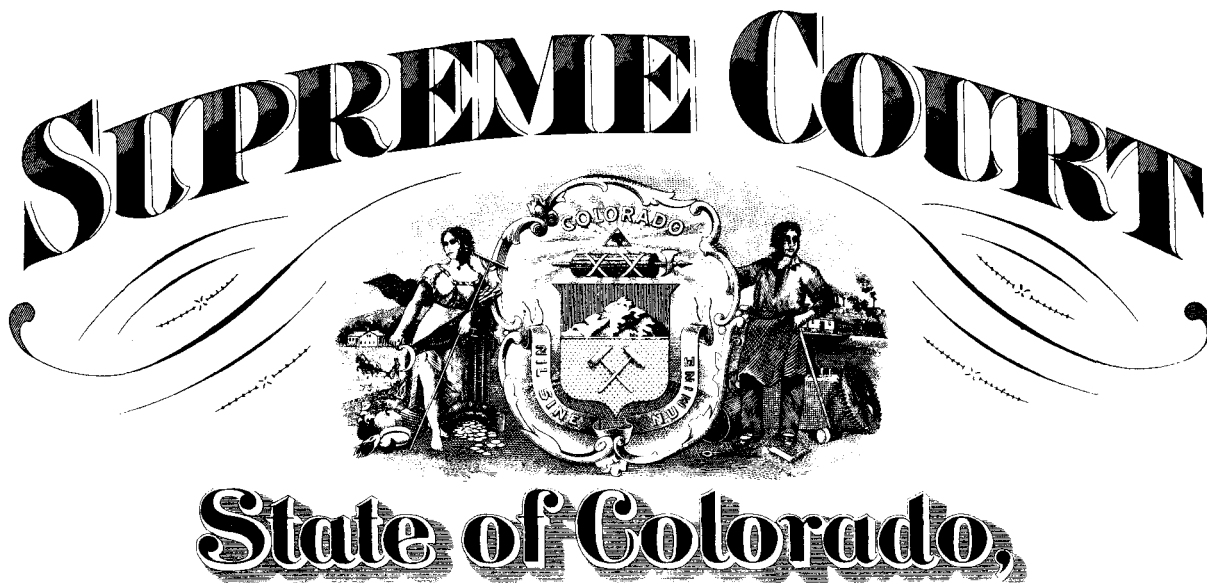
My commission expires: 4-11-06



NOTE – As the application requires original signatures of the applicant and notary, this application cannot be filed electronically. Please submit all documents and fees by mail to:

State Bar of Arizona
Pro Hac Vice
111 West Monroe, Suite 1800
Phoenix, AZ 85003

For further information, please contact our Membership Records Department at (602) 340-7239



STATE OF COLORADO, ss:

I, Mac V. Danford Clerk of the Supreme Court of the State of Colorado, do hereby certify that

Harry Leon Pliskin

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys

and Counselors at Law in my office of date the 14th

day of October A. D. 1994 and that at the date hereof

the said Harry Leon Pliskin

is in good standing at this Bar.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

1 **Arizona Corporation Commission**

2
3 In the matter of: Investigation in Qwest Corp)

4 Plaintiff,)

CASE # T 00000A 00 0194

5 v.)

SBA App #1000362

6 Covad Communications Compay)

7 Defendant.)

**NOTICE OF RECEIPT OF
COMPLETE APPLICATION**

8
9 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has
10 received the verified application and fee from Harry L. Pliskin

11 In addition to this application, applicant has made the following applications to appear
12 pro hac vice, pursuant to Rule33 (d), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?	
Dieca Communications			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no

17
18 Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of
19 Good Standing are attached hereto.

20 DATED this 15th day of May, 2003



21 Marie Ruch
22 Membership Records
23 State Bar of Arizona

24 Original Mailed on
25 May 15th, 2003 to:
Mr. Todd C. Wiley
2575 E. Camelback Rd .
Phoenix, AZ 85016-9225

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BEFORE THE ARIZONA CORPORATION COMMISSION
2003 MAY 21 P 2:29

MARC SPITZER
CHAIRMAN
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DOCKET NO. T-00000A-00-0194

ARIZONA CORPORATION COMMISSION,

DOCKET NO. T-01051B-03-0092

COMPLAINANT,

VS.

QWEST CORPORATION,

RESPONDENT.

MOUNTAIN TELECOMMUNICATIONS, INC.

DOCKET NO. T-01051B-03-0092

COMPLAINANT,

VS.

QWEST CORPORATION,

RESPONDENT.

ORDER FOR PRO HAC VICE
ADMISSION OF HARRY L.
PLISKIN

//

1 Based upon the motion for admission *Pro Hac Vice* of Harry L. Pliskin and the
2 consent to appear as local counsel by Todd C. Wiley,

3 **IT IS HEREBY ORDERED** that Harry L. Pliskin be admitted *Pro Hac Vice* as
4 counsel for Covad Communications Company in Docket No. T-00000A-00-0194 in the above-
5 entitled matter.

6 DATED this ____ day of _____, 2003.

7
8
9 _____
Dwight Nodes
Administrative Law Judge